



# CITY OF CUPERTINO

## AGENDA

### CITY COUNCIL

10350 Torre Avenue, Council Chamber

Tuesday, May 2, 2017

6:45 PM

#### PLEDGE OF ALLEGIANCE

#### ROLL CALL

#### CEREMONIAL MATTERS AND PRESENTATIONS

1. Subject: Proclamation declaring May as National Bike Month  
Recommended Action: Present Proclamation declaring May as National Bike Month
2. Subject: Proclamation declaring May as National Foster Care Awareness Month  
Recommended Action: Present Proclamation declaring May as National Foster Care Awareness Month

#### POSTPONEMENTS

#### ORAL COMMUNICATIONS

*This portion of the meeting is reserved for persons wishing to address the council on any matter not on the agenda. Speakers are limited to three (3) minutes. In most cases, State law will prohibit the council from making any decisions with respect to a matter not listed on the agenda.*

#### CONSENT CALENDAR

*Unless there are separate discussions and/or actions requested by council, staff or a member of the public, it is requested that items under the Consent Calendar be acted on simultaneously.*

3. Subject: Approve the April 18 City Council minutes  
Recommended Action: Approve the April 18 City Council minutes  
[A - Draft Minutes](#)

4. Subject: Accept Accounts Payable for the period ending March 17, 2017  
Recommended Action: Adopt Resolution No. 17-038 accepting Accounts Payable for the period ending March 17, 2017  
[A - Draft Resolution](#)  
[B - AP Report](#)
5. Subject: Accept Accounts Payable for the period ending March 24, 2017  
Recommended Action: Adopt Resolution No. 17-039 accepting Accounts Payable for the period ending March 24, 2017  
[A - Draft Resolution](#)  
[B - AP Report](#)
6. Subject: Accept Accounts Payable for the period ending March 31, 2017  
Recommended Action: Adopt Resolution No. 17-040 accepting Accounts Payable for the period ending March 31, 2017  
[A - Draft Resolution](#)  
[B - AP Report](#)
7. Subject: Accept Accounts Payable for the period ending April 7, 2017  
Recommended Action: Adopt Resolution No. 17-041 accepting Accounts Payable for the period ending April 7, 2017  
[A - Draft Resolution](#)  
[B - AP Report](#)
8. Subject: Adopt a resolution affirming the City's commitment to being an equitable community  
Recommended Action: Staff recommends that the City Council adopt Resolution No. 17-045 affirming the City's commitment to a diverse, supportive, inclusive community and to protecting the constitutional rights of its residents  
[Staff Report](#)  
[A - Draft Resolution](#)  
[B - Equitable Communities Background Information](#)
9. Subject: Letter of Support for State Senate Bill 231  
Recommended Action: Direct staff to send a letter of support for Senate Bill 231 (Hertzberg): Stormwater Stewardship from the Mayor, as attached  
[Staff Report](#)  
[A - Sample Letter of Support](#)

10. Subject: Declare brush to be a public nuisance and potential fire hazard and set hearing for June 20 for objections to proposed removal  
Recommended Action: Adopt Resolution No. 17-042 declaring brush to be a public nuisance and potential fire hazard and setting the hearing date for June 20  
[Staff Report](#)  
[A - Draft Resolution](#)
11. Subject: Amendment to Funding Agreement between the City of Cupertino and the Santa Clara Valley Transportation Authority (VTA) for the I-280/Wolfe Road Interchange Improvements Project  
Recommended Action: Authorize the City Manager to execute an amendment to an existing agreement with the VTA to identify their respective obligations in regard to the I-280/Wolfe Road Interchange Improvements Project  
[Staff Report](#)  
[A - Draft Amendment to Funding Agreement](#)
12. Subject: Application for Alcohol Beverage License for TLT International (dba TLT & Grill), 20371 Stevens Creek Boulevard  
Recommended Action: Recommend approval to the California Department of Alcoholic Beverage Control of the application for Alcohol Beverage License for TLT International (dba TLT & Grill), 20371 Stevens Creek Boulevard  
[Staff Report](#)  
[A - Application](#)

## SECOND READING OF ORDINANCES

13. Subject: Second reading of an ordinance amending the Municipal Code to develop an application process for the Single-Story Overlay Zoning Districts in Single-Family residential (R-1) zones (Application No.: MCA-2017-02; Applicant: City of Cupertino; Location: Citywide)  
Recommended Action: Conduct the second reading and enact Ordinance No. 17-2162: "An Ordinance of the City Council of the City of Cupertino amending Title 19, Zoning, of the Cupertino Municipal Code Chapter 19.12 (Administration), Chapter 19.20 (Permitted, Conditional and Excluded Uses in Agricultural and Residential Zones), and Chapter 19.28 (Single-Family Residential R-1) Zones, to create a Single-Story Overlay District process"  
[Staff Report](#)  
[A. Ordinance No. 17-2162](#)  
[B. Redline document indicating changes](#)

14. Subject: Second reading of an ordinance amending Section 11.27.145 of the Cupertino Municipal Code relating to designation of preferential parking zone on Randy Lane, Larry Way and a portion of Merritt Drive

Recommended Action: Conduct the second reading of Ordinance 17-2163: An ordinance of the City Council of the City of Cupertino amending Section 11.27.145 of the Cupertino Municipal Code relating to designation of preferential parking zones on Randy Lane, Larry Way and a portion of Merritt Drive, Monday through Friday between 8 a.m. and 4 p.m.

[Staff Report](#)

[A - Permit Parking Map](#)

[B - Draft Ordinance](#)

## **PUBLIC HEARINGS**

15. Subject: Update on regional drought response, adoption of 2017-18 Regulations Restricting Water Use and authorization of an amendment of the FY16/17 Memorandum of Understanding (MOU) with the Santa Clara Valley Water District (District) for the landscape conversion rebate program

Recommended Action: Staff recommends that the City Council take the following actions:

- 1) Receive staff report on continued regional drought actions; and
- 2) Adopt Resolution No. 17-043 with 2017-2018 Regulations Restricting Water Use; and
- 3) Adopt Resolution No.17-044 authorizing the City Manager to amend the FY16/17 Memorandum of Understanding (MOU) with the District for the landscape conversion rebate program to include the graywater laundry to landscape program and extend the MOU from December 30, 2017 to June 30, 2018.

[Staff Report](#)

[A - Executive Order B-40-17](#)

[B - Notice of Intent to Adopt the 2017-18 Regulations Restricting Water U](#)

[C - Draft Resolution with 2017-18 Regulations Restricting Water Use and](#)

[D - Water Conservation Restriction Measures for City Facilities](#)

[E - District Landscape Conversion Rebate Program](#)

[F - District Graywater Laundry Rebate Program](#)

[G - Draft Resolution with Amendment to FY 16/17 MOU with the Distric](#)

## **ORDINANCES AND ACTION ITEMS**

16. Subject: Discussion and funding for 2017 Independence Day Fireworks Display  
Recommended Action: Authorize staff to coordinate and implement a fireworks display on July 4th, 2017. This action authorizes the appropriation of an amount not to exceed \$100,000 for fireworks, City staff to support the event, and Santa Clara county Sheriff and Fire staff to ensure safe operations.  
[Staff Report](#)

## REPORTS BY COUNCIL AND STAFF

17. Subject: Annual Report on the Pavement Management Program  
Recommended Action: Receive the report. No action is required  
[Staff Report](#)  
[A - PCI Condition Table](#)  
[B - Street-by-street listing of improvements to be completed by the 2017 I](#)  
[C - Street-by-street listing of improvements completed by the FY16/17 Pa](#)
18. Subject: Report on Committee assignments and general comments  
Recommended Action: Report on Committee assignments and general comments

## ADJOURNMENT

*The City of Cupertino has adopted the provisions of Code of Civil Procedure §1094.6; litigation challenging a final decision of the City Council must be brought within 90 days after a decision is announced unless a shorter time is required by State or Federal law.*

*Prior to seeking judicial review of any adjudicatory (quasi-judicial) decision, interested persons must file a petition for reconsideration within ten calendar days of the date the City Clerk mails notice of the City's decision. Reconsideration petitions must comply with the requirements of Cupertino Municipal Code §2.08.096. Contact the City Clerk's office for more information or go to <http://www.cupertino.org/index.aspx?page=125> for a reconsideration petition form.*

*In compliance with the Americans with Disabilities Act (ADA), anyone who is planning to attend the next City Council meeting who is visually or hearing impaired or has any disability that needs special assistance should call the City Clerk's Office at 408-777-3223, 48 hours in advance of the Council meeting to arrange for assistance. Upon request, in advance, by a person with a disability, City Council meeting agendas and writings distributed for the meeting that are public records will be made available in the appropriate alternative format. Also upon request, in advance, an assistive listening device can be made available for use during the meeting.*

*Any writings or documents provided to a majority of the Cupertino City Council after publication of the packet will be made available for public inspection in the City Clerk's Office located at City Hall, 10300 Torre Avenue, during normal business hours and in Council packet archives linked from the agenda/minutes page on the Cupertino web site.*

*Members of the public are entitled to address the City Council concerning any item that is described in the notice or agenda for this meeting, before or during consideration of that item. If you wish to address the Council on any issue that is on this agenda, please complete a speaker request card located in front of the Council, and deliver it to the Clerk prior to discussion of the item. When you are called, proceed to the podium and the Mayor will recognize you. If you wish to address the City Council on any other item not on the agenda, you may do so by during the public comment portion of the meeting following the same procedure described above. Please limit your comments to three (3) minutes or less.*